

Exhibit 16

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BIOGEN, INC., ET AL)	CA 03-11329
)	Boston, MA
v.)	June 22, 2004
)	
COLUMBIA UNIVERSITY, ET AL)	

BEFORE THE HONORABLE MARK L. WOLF
UNITED STATES DISTRICT JUDGE

APPEARANCES:

(As previously noted.)

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1 early resolution and, if it gets resolved, we're done.

2 And that would be attractive if it were correct, and the
3 problem is that it's not correct.

4 So, if this court were to go forward, carve out
5 double patenting, hold an early summary judgment hearing,
6 invalidate our patent, every single claim, what's going
7 to happen? Well, the most likely scenario is as follows,
8 and this is something the plaintiffs agreed with. Our
9 patent will come out of the Patent Office, come out of
10 reexamination and reissue with certain claims intact that
11 are new or amended, and we'll be back, and we'll do the
12 same thing all over again.

13 THE COURT: You might be back. You might have a
14 new license agreement. And I'll get to this when we get
15 to the stay, but they say I'm going to have to interpret
16 these claims anyway to decide whether to give them
17 attorneys' fees or to interpret the reissued claims.
18 But, okay, I guess I get the sense of it.

19 Is there more?

20 MR. GINDLER: I feel pretty comfortable in
21 saying that if our patent emerges from the Patent Office
22 -- and, remember, 64 percent of patents which go into
23 reexamination or reissue come out with new and amended
24 claims -- I feel pretty confident in saying the same
25 talented lawyers seated to my right are going to be back